



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/447,496	05/23/95	HARVEY	5634.121

Hunton & Williams
1900 K Street, N.W.
Washington DC 20006-1109

LM02/0608

EXAMINER
LUTHER, W

ART UNIT	PAPER NUMBER
2731	22

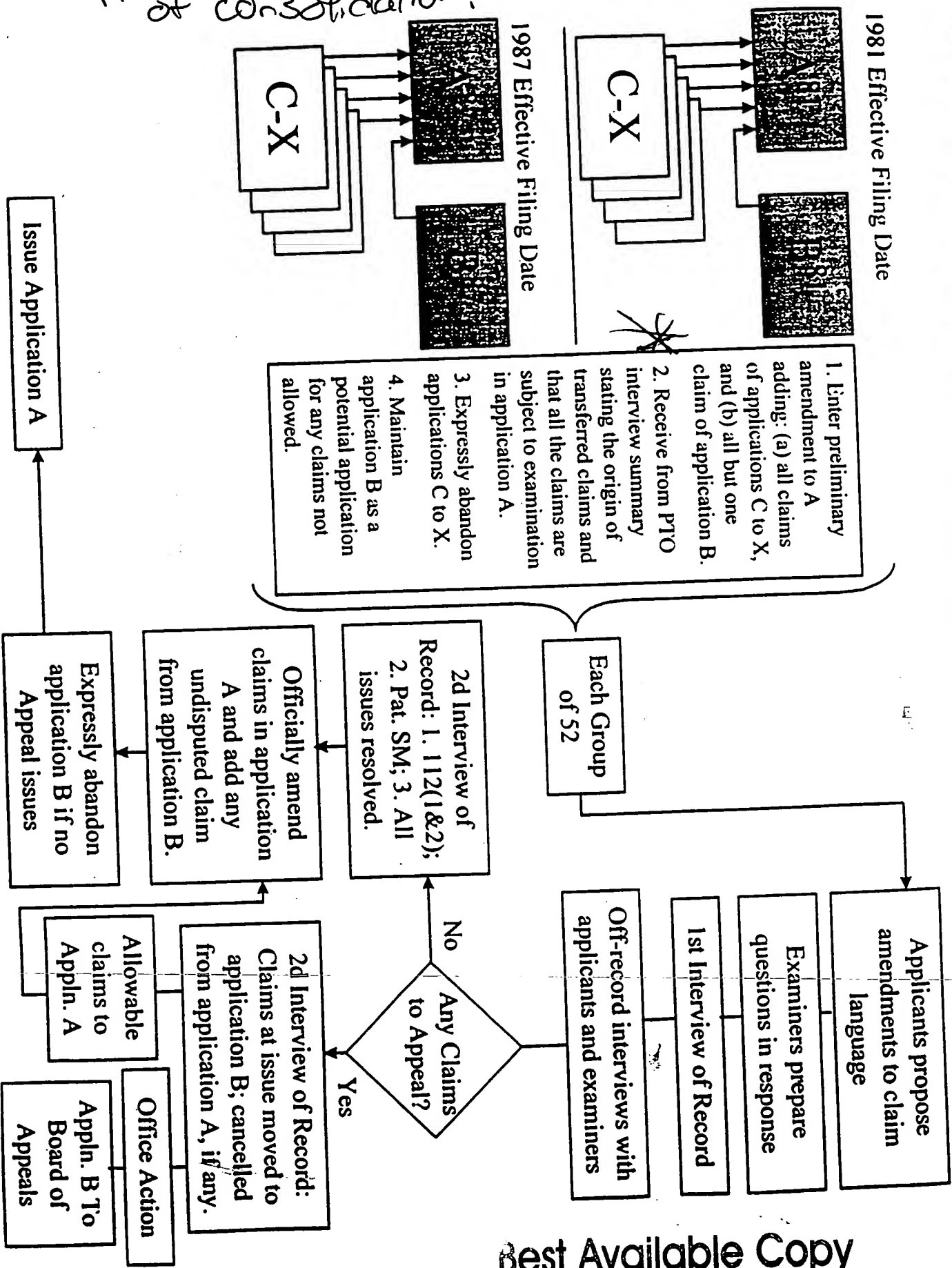
DATE MAILED: 06/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

see Attached.

Commissioner of Patents and Trademarks

Applicants' allegation of consolidation.



Interview Summary Attachment

USPTO Serial No. 08/AAA,AAA
Attorney Docket No. 05634.000A
Filing Date: August 30, 1993
Art Unit: 2737
Examiner: FAILE, A.

Int. Summary that
applicants alleged
they would provide

Applicants hereby present a preliminary amendment to the above-identified application adding the following claim(s) from the following application serial number(s), and hereby expressly abandon the following corresponding application(s) as indicated below:

Claims	Applications Serial No(s).	Expressly Abandon Application(s)
X	08/XXX,XXX	
Y	08/YYY,YYY	Abandoned
Z	08/ZZZ,ZZZ	Abandoned

The preliminary amendment adding the above-identified claims is hereby entered in the above-identified application and examined along with original claims XXX. An action on the merits is to follow.

Date: _____, 1999.

BEST AVAILABLE COPY

1. This action is in response to ~~7/6/99~~. Remarks that exist for pending claims ~~2-24~~, have been considered but are moot in view of the new ground(s) of rejection.

Overview.

As a preliminary matter, it is understood that applicants and the PTO have agreed to consolidate co-pending applications from ~329 in number to ~78 in number wherein applicants "claim" priority benefit under Section 120 for ~41/78 to 9/11/87 ('87), and ~37/78 to 11/3/81 ('81). However, to date, applicants have failed to complete the consolidation. For example and for illustration, in the group of 37/78, examiner finds consolidation papers for only ~~3~~ ^{1063 of 3154} of 37.¹ Applicants must understand that their failure, to date, to complete the consolidation has contributed to delay in prosecution, noting that the agreement to consolidate was made over an entire year ago.² Clarification is requested for when applicants intend to carry forth completion of their

¹See Appendix B for examiners count of cases having consolidation papers. It is noted, for ex, that "group" 8 fails to map the claims, and hence is not within consonance of agreement and therefore is recognized as an amendment to an outstanding office action.

²For illustration, it is noted that the co-pending application no. 08/474,964 (see "group" 30 in Appendix B) consolidation was received 3/9/99. Therein, on page 9 (paper 20), applicants allege "In consonance with the agreement...Applicants...join the claims", etc.

Best Available Copy